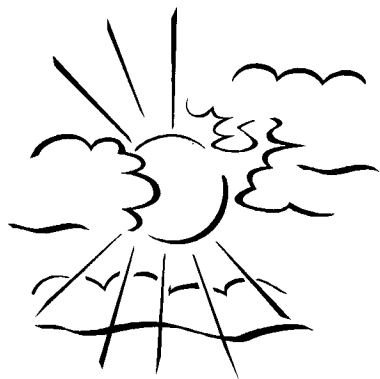


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\*Important story at this spot

# **Articles in Today's Clips**

## **Monday, February 13, 2006**

(Be sure to maximize your screen to read your clips)

TOPIC	PAGE
*Child Abuse/Neglect/Protection	2-8
*Background Checks	9-27
Vulnerable Adults	28-29
Health Care	30-36
Juvenile Justice	37
Foster Care	38-39
Heating Assistance	40-42
Homelessness	43
Domestic Violence	44-45
State Budget	46-50
Minimum Wage	51-54
This Week in Washington	55-57

February 13, 2006

## **Court transcript: Tim Holland said wife killed son with hammer**

By Chris Andrews  
Lansing State Journal

MASON - Tim Holland told police that his wife killed their 7-year-old son Ricky by striking him twice with a hammer, according to a transcript of a court hearing released today.

"Lisa killed Ricky Holland with two blows from a hammer to his head," according to testimony provided by Ingham County Sheriff Detective Sgt. Roy Holliday.

Holliday testified Tim Holland went on to admit during the Jan. 27 interview that he disposed of Ricky's body at his wife's direction. But in an interview a day earlier - according to the transcript - Lisa Holland said it was Tim Holland who killed their son and that she cleaned up the scene of the slaying.

District Judge Rosemarie Aquilina today ordered the transcript be made public despite objections from the Ingham County Prosecutor's Office and defense attorneys.

Aquilina said the public showed intense interest in Ricky after he was reported missing last July. She said it is in the public interest - and in Ricky's - that proceedings are open.

"I think the public has been waiting patiently," she said. "I do believe there is a compelling interest that the public has."

The Lansing State Journal and WILX-TV had filed suit challenging an earlier order that had closed the Feb. 7 hearing.

Tim and Lisa Holland reported Ricky missing from their Williamston home last July 2, prompting a massive community search.

Published February 11, 2006

## **Hollands' 4 kids to stay with relatives Neither of Ricky's parents to be allowed to see them**

By Kevin Grasha  
Lansing State Journal

A judge ruled Friday the four children of Tim and Lisa Holland, who are charged with murder in the death of their son Ricky, can continue living with Tim's sisters - but Lisa's family will be allowed supervised visits.

"What we want to establish for the children is a feeling of normalcy, as much as we can under the circumstances," Judge Janelle Lawless said at the hearing in Ingham County Circuit Court's family division.

Neither Tim or Lisa will be allowed to see their children, who range in age from 1 to 4 and fall under the custody of the state Department of Human Services.

### **Advertisement**

Caseworker Kathleen Daugherty testified she had no concerns about where the children currently are living.

The Hollands were charged Tuesday in the death of Ricky, their 7-year-old adopted son. Tim Holland led police to the boy's remains last month in a remote part of Bunker Hill Township. The Hollands have implicated each other in his death.

Tim Holland, who wore a sport coat and tie, openly sobbed several times during the nearly two-and-a-half hours he was in court. Lisa Holland, who sat at an adjacent table in a sweater and jeans, spent most of the time calmly taking notes. They never looked at each other.

At one point during the proceeding, Tim Holland stopped his attorney, Sam Reedy, from objecting to supervised visitation by Lisa Holland's family. "I want what's best for my kids," he said.

Lisa Holland's attorney, Mike Nichols, called Friday's outcome a victory, despite the judge denying his request to place the children with her sister.

"You don't always get everything you ask for," he said.

He added Lisa's family deserves to see the children because she is considered innocent by the law.

Reedy explained afterward that Tim Holland doesn't want the children's lives to be disrupted further. Tim Holland also doesn't want them to see him in jail. "The last thing these kids need to see is him in a yellow jumpsuit," Reedy said.

Contact Kevin Grasha at 267-1347 or [kgrasha@lsj.com](mailto:kgrasha@lsj.com).  
What's next?

- Preliminary hearings for Tim and Lisa Holland are set for 10 a.m. Thursday in 55th District Court in Mason. They were charged Tuesday with open murder in the death of their 7-year-old adopted son, Ricky.

# Prosecutor: Baby still critical

STACY LANGLEY, The Huron Daily Tribune

02/10/2006

**BAD AXE** — Officials are saying today is another “very critical day” in the life of the 1-month-old baby boy from Bad Axe who remains in the care of Hurley Medical Center in Flint after sustaining serious head injuries.

Huron County Prosecutor Mark J. Gaertner isn’t releasing the baby’s name, but said the child born on Jan. 9 is under observation at the hospital and remained in “very critical condition” this morning.

“From what I gather, yesterday and today the baby has remained in the same critical condition — that could be encouraging,” said Gaertner, noting the baby’s condition hasn’t declined.

“Yesterday and today are very critical days for swelling of the brain.”

Law enforcement officials began their investigation after a 9-1-1 call by the baby’s 23-year-old father reported the baby boy was having trouble breathing.

The baby was transported by ambulance to Huron Medical Center in Bad Axe Sunday morning and then taken to Hurley Medical Center where he remains today.

Gaertner said his office is working with investigators from the Huron County Sheriff’s Office “looking into allegations of child abuse involving the baby.”

“We’ve been focusing the last 24 hours on working to develop a timeline to determine where the baby was and who was with the baby (when the baby sustained the head injuries). We’re basically focusing on a time period from last Wednesday (Feb. 1) when the baby had a visit with its doctor, up through Sunday morning when he was taken to the hospital. We want to know who was with the baby and when,” Gaertner said. “Right now we’re in the process of interviewing people as to where the child was during that timeframe.”

Gaertner said the case continues to be a top priority, and he’s urging anyone with information about the baby boy to contact the Huron County Sheriff’s Office as soon as possible.

No other information was available as of press time this morning.

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Published February 12, 2006

## **State bills aim to protect kids exposed to meth**

By Hannah Northey  
Lansing State Journal

The spreading epidemic of methamphetamine production is so dangerous that state police and lawmakers are working on a plan to protect the most vulnerable victims - children who are exposed to it.

The plan is part of a package of 14 bills that will be outlined Monday to try to tackle the problems caused by the highly addictive and toxic drug.

There are no statewide guidelines for law enforcement to deal with the challenge of helping children exposed to meth labs.

"When meth is cooked, it becomes an aerosol - it's like a fine dust," said Detective Lt. Tony Saucedo, commander of the Michigan State Police methamphetamine team. "Kids can end up with respiratory problems from solvents or burns from ammonia."

The bills also lengthen probationary periods for people convicted of meth crimes, establish statewide criteria for cleaning up meth labs, and call for increased education and awareness in school districts.

The bills are written by the same legislators who sponsored a law making it harder to buy over-the-counter cold tablets, which contain an ingredient used to make meth.

The legislative push comes as the Department of Human Services and state police are creating a protocol to provide guidelines on how to respond to meth labs.

Meth - a concoction of ammonia, iodine, lithium, ether, sulfuric acid and anhydrous ammonia, to name a few ingredients - can affect children's learning and development throughout their lives.

E.J. McAndrew is a drug and alcohol prevention specialist who heads the Van Buren County Methamphetamine Task Force. He said repercussions of exposure to meth can range from tremors, high-pitched screaming and insomnia in infants to learning disabilities, delinquency, truancy and drug abuse in teenagers.

"A lot of the children we see are testing positive for the drug," McAndrew said.

"They can display hyperactivity, delay of development or birth defects if the mother is using."

In the absence of statewide guidelines, many counties have created their own protocols to deal with the cleanup of meth labs and children who are removed from labs.

About 56 labs have been found in Ingham, Eaton and Clinton counties since 1997. In some instances, children on the sites were directly exposed to the fumes and residues that resulted from the cooking of methamphetamine.

A total of 996 meth labs have been found statewide since 1997.

"This is the next step in the fight against meth," said state Sen. Patty Birkholz, R-Saugatuck, one of the legislators working on the bills.

"Little children are breathing this stuff and touching this stuff - and these are homes, not chemistry labs."

Lt. Tim Gill remembers a meth bust in DeWitt Township where he found children living next to a pole barn where meth was being cooked.

Police were called to the scene after a side wall blew out from an explosion.

"The kids there could tell us all the ingredients required to make meth," Gill said.

"We made sure they were removed from the home."

Contact Hannah Northey at 377-1052 or [hnorthey@lsj.com](mailto:hnorthey@lsj.com).

### **How to help**

- To report methamphetamine labs or trafficking, call the Michigan State Police methamphetamine tip line toll-free at (866) METH-TIP (638-4847) or the Tri-County Metro Narcotics Squad at 394-5588.

### **What to look for**

Signs of possible meth exposure in children include:

- Watery, burning eyes with discharge
- Mild to severe burns
- Respiratory problems, including sneezing, coughing or difficulty breathing
- Vomiting, diarrhea or abdominal pain
- Jaundice

- Hallucinations
- Extreme irritability

Meth Awareness and Prevention Project: [www.mappsd.org/index.htm](http://www.mappsd.org/index.htm)



*MIRS*

*February 10, 2005*

## **Judge Stops Release Of 'Incomplete' FOIA'd List**

An Ingham County Circuit Court judge ruled today that preliminary data of local school employees initially identified with having criminal convictions cannot be provided to the public.

Judge Joyce **Draganchuk** issued a preliminary injunction preventing the Department of Education from releasing any such data to the media in response to Freedom of Information requests from a number of news agencies, and a legal petition submitted to the court by the Michigan Education Association (MEA) to prevent the public release of the information.

Last week school districts received lists of school employees who were matched as having criminal convictions through the state's criminal history records. After review by the local school districts, a number of "false positive" matches were revealed showing that some employees were mis-identified through the data match.

"Judge Draganchuk agreed with our position that the public isn't served by receiving inaccurate information," said state Superintendent Mike **Flanagan**. "We never intended for this initial information sent to districts to be finalized data."

"We expected that local school districts would be the final, and most direct, filter to identify school employees with criminal convictions; to help correct the state's criminal history database; and most importantly, to remove from their schools any employee who may pose a danger to their students and staff," Flanagan said.

When the Department of Education (MDE) received the database match from the state police last summer, it immediately began processing license suspensions and revocations of teachers identified with any criminal sexual offenses, or offenses against a child, as listed in state law, said MDE Spokesman Martin **ACKLEY**.

It wasn't until the new school safety laws went into effect in January that the department could inform school districts of all of their employees with a criminal conviction, he said.

In the meantime, the department continues working with school districts to identify any "false positives" on their lists and provide that information through a special Web site established by the department, Ackley said.

The department also has directed school districts to continue their own process of dealing with employees who have been accurately identified as having "listed offenses" and felonies other than the listed offenses, as required and provided for by state law.

Michigan Report

February 10, 2006

## **DEROCHE: GET LISTS RIGHT, THEN RELEASE TO PUBLIC**

In a reversal of absolutely mandating that school employee background checks be made public immediately, legislation being introduced in the House would now require the Department of Education to work on ensuring the information is accurate before the lists are distributed to individual school districts.

“The bill strikes the proper balance between the public’s right to know who has access to their children with an employee’s right not to be falsely accused,” said House Speaker Craig DeRoche (R-Novi). “We would have assumed that the Department of Education checked these lists for accuracy before alarming our school districts, but we are finding out this was unfortunately not the case.”

The legislation would give school districts and officials 14 days after they received the lists to make any corrections and verify information. The bill also would make misdemeanor convictions involving physical or sexual abuse and all felony convictions subject to the Freedom of Information Act after the 14-day period.

The bill’s sponsor, Rep. Rick Baxter (R-Concord), said the legislation now ensures any school employee’s reputation is not tainted with a bogus criminal record.

# Judge bars releasing list of school workers with convictions

2/10/2006, 5:18 p.m. ET

By DAVID EGGERT  
The Associated Press

LANSING, Mich. (AP) — The state Department of Education cannot immediately make public a list of school workers with criminal convictions because the list is inaccurate, an Ingham County judge ruled Friday.

Circuit Judge Joyce Draganchuk said releasing the statewide list to the media would violate the integrity of teachers and other employees who are wrongfully named.

A new law targeting sex offenders prompted the criminal history of more than 200,000 school employees to be checked, but many said the records contain mistakes.

"Surely the public interest is not served by having inaccurate information posed to them," Draganchuk said in issuing a preliminary injunction.

The ruling followed testimony from four teachers who appeared on the list with convictions for drug violations, domestic abuse and other offenses. All four said they had never committed any crimes.

The "false positives" likely resulted from matches involving common names and stolen Social Security numbers, state officials said.

School districts began receiving names from the state last week.

Tina VanSickle, a middle school teacher in Morley, near Big Rapids, testified that she was mistakenly tagged for seven misdemeanors and one felony.

"I haven't done anything wrong," she said. "To have something attached to my name that's not true is not right."

Eric Frohriep, a gym teacher from Eaton Rapids, said the check showed he had committed theft at age 6. He reiterated the concern — voiced by teachers' unions — that appearing on the list will ruin the lives of law-abiding people.

"Some people read names and believe it. They think it's true," Frohriep said.

The Detroit News and other media outlets have filed Freedom of Information Act requests for the list, but both the education department and teachers' unions — including the 160,000-member Michigan Education Association — say school districts need time to verify and double-check names.

The 35,000-member Michigan branch of the American Federation of Teachers on Friday said it would go to federal court and try to get the list recalled.

Under a law that took effect Jan. 1, sex offenders on the list will be fired. Those with felony convictions must receive approval from the superintendent and school board to stay employed.

State education officials trying to comply with the law checked school employees' names against a criminal database using their names and Social Security numbers. Officials have since said names can be checked against other databases for more reliable information.

"We never intended for this initial information sent to districts to be finalized data," state superintendent Mike Flanagan said.

It is unclear when the correct list of convicted workers will be available.

Tim Bolles, manager of the state police's identification and criminal history section, said his agency hopes to give the education department an entirely new list by March 1. State law now requires that checks be run twice a year on all school employees.

Draganchuk said the current list is too raw to be released, but added: "No one is suggesting (the media) may never have this information."

James Stewart, an attorney for The Detroit News, said the newspaper does not want to publish stories about inaccurately flagged workers. But he stressed that many of the names on the list are correct.

"What we are losing sight of is that the purpose of this law is to find out and let the public know about criminals around their children," Stewart said.

Before the new law passed the Legislature last year and was signed by the governor, schools had to conduct criminal background checks on new teachers, administrators and counselors. Janitors, cafeteria workers and others were not covered.

A state audit released in late 2004 showed the state was not routinely checking school employees against lists of convicted criminals.

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On the Net:

Ingham County Circuit Court: <http://www.ingham.org/cc/circuit.htm>

Michigan Department of Education: <http://www.michigan.gov/mde>

Michigan Education Association: <http://www.mea.org>

American Federation of Teachers Michigan branch: <http://aftmichigan.org/>

Michigan Report

February 10, 2006

## **TEACHER CONVICT LIST STILL PRIVATE**

The names of teachers who have been convicted of felonies or certain sex- or assault-related misdemeanors are not ready to be released, said Ingham Circuit Judge Joyce Draganchuk in issuing a preliminary injunction against releasing the list.

Both the Michigan Education Association and the Department of Education argued Friday that the list was preliminary and too rife with errors to be released to the public. But The Detroit News, one of the media outlets seeking a copy of the list and an intervenor in this case, said the public had a right to know the names of those who were rightfully on the list.

“The data is preliminary and not conclusive,” Ms. Draganchuk said. “No one can say by looking at this list who the false positives are and who the true positives are.”

She found that the harm to the teachers and other school employees, though largely to their reputations, would be irreparable and at this point outweighed the public’s right to know who was rightfully listed.

The MEA brought four teachers whose names were on the list incorrectly and were having to work to prove to their employers that they had not committed the crimes in question. One noted that an assault he was listed as having been convicted for would have happened when he was six.

Tim Bolles, Identification Manager for the Department of State Police Criminal History Section, testified that the system used in June 2005 to match the list of school employees with criminal records allowed many opportunities for false positives. The list was set up to match either a name or a Social Security number.

He said a new system that will be in place for the next run of the list, planned to be released to the Department of Education on March 1, will provide a more accurate listing.

“We’ll be comfortable it will be ready for dissemination to the districts and the general public,” Mr. Bolles said.

But he warned even that list, which will require that at least the name and birth year match, will still provide some false positives.

James Stewart, attorney for the News, argued that the injunction was premature because the department had not yet decided whether it would release the information. He said it

was that decision under the Freedom of Information Act that should be brought to the court, not the possibility of an action.

And attorneys for the department argued that, because the list is preliminary, it would not meet the News' request for information.

Superintendent of Public Instruction Mike Flanagan said there may never be a statewide listing. "Our obligation is to get the information to the districts," he said. "These were always preliminary lists."

He said those teachers who did not protest their being on the list have likely already been fired or otherwise disciplined. The law prohibits those with certain sex-based, assaultive and drug crimes from working in schools.

The next step in the case is trial, but none has been set as there is some argument that the next iteration of the list, because of the additional filtering to be placed on it, will resolve many of the issues raised in this case.

February 10, 2006

# Teacher out to erase his criminal past

## Former TC man served time for a fatal stabbing

By CHRISTINE FINGER  
Record-Eagle staff writer

TRAVERSE CITY - A former Traverse City man who teaches at Escanaba High School wants a judge to erase his 1983 felony manslaughter conviction.

Victor B. Thompson, 43, was convicted in February 1983 in Grand Traverse County in the stabbing death of 22-year-old David Coddington.

On Jan. 3, he asked that the court set aside his conviction and clear it from his record.

Thompson's request comes as Michigan school districts receive results of statewide criminal background checks on school employees.

Thompson has taught woodworking and industrial arts in Escanaba Public Schools since 1989. The president of Escanaba's school board, Eric Knudsen, on Thursday said he was unaware of Thompson's criminal conviction.

"That's news to me. I've known him personally for probably 10 years," Knudsen said. "I'd describe him as a very nice, mild, benign person. "

Escanaba school superintendent Thomas Smith said Thompson "technically" is a district employee. He would not elaborate on Thompson's employment status, whether his conviction showed up on the recent state background check, or if Escanaba school officials previously knew of the conviction.

Escanaba schools did not start fingerprinting employees for background checks until 1994.

The state criminal record checks, sent last week to school districts, are part of new laws that went into effect Jan. 1 and aim to keep sex offenders out of schools.

Michigan State Police ran background checks on about 200,000 current school employees statewide.

Local districts must fire any employee convicted of a sex offense, and employees with other felony convictions must get written permission from their superintendents and school boards to continue their jobs.

Knudsen said school board members decided not to review the initial results of the state's background checks and instead let Smith and the district's legal counsel examine the initial list. Officials will carefully scrutinize any employee's conviction and consider it on a case-by-case basis, he said.

A hearing on Thompson's request is set for March 17 in front of 13th Circuit Court Judge Philip Rodgers. His application cites volunteer work within his church and community, a clear criminal and civil court record since his release, and six letters of recommendation.

Thompson's conviction stemmed from a stabbing that took place Sept. 19, 1982, in an alley south of the 100 block of West Front Street. Prosecutors charged the then 20-year-old with second-degree murder, but jurors convicted him on the lesser charge of manslaughter. He was sentenced to serve between 4 years and 15 years in prison, completed his sentence early and was released from parole in November 1986.

Thompson did not return calls seeking comment. He is represented by Traverse City attorney Craig Elhart, who defended him during his original trial.

Grand Traverse County Prosecutor Alan Schneider filed an answer with the court opposing the request until Thompson proves that clearing his record is in the public's best interest. The state attorney general also opposed the request.



# Innocent teacher ends up on list

Friday, February 10, 2006

By Pat Rombyer  
prombyer@citpat.com -- 768-4924

First-grade teacher Jamie Maxson was stunned last week when her principal told her she was a convicted felon.

In reality, Maxson was just the victim of a state Department of Education-generated list that school administrators and employees say is fraught with errors.

"It's been a nightmare," said Maxson, a teacher at Grass Lake's George Long Elementary School. The list, prompted by a state law designed to protect students from sex offenders, was supposed to contain the names of all Michigan school employees who've been convicted of felonies or misdemeanors.

The checks revealed more than 4,600 criminal offenses by school employees statewide, of which 2,200 were felonies.

Maxson has neither a felony nor a misdemeanor in her background, but the check showed she was convicted of a 1976 felony for receiving and concealing stolen property valued at more than \$10,000.

"Jamie called me last week and told me to come to the school," said Bruce Maxson, her husband. "She was standing on the sidewalk crying. I joked about it. I told her we'd get it all straightened out."

She returned to the classroom with school officials' blessing the day after the list was received by Grass Lake.

But when the Maxsons heard a rumor that names on the lists were to be released to the public today, they became worried.

The rumor could have stemmed from the fact that an Ingham County judge was to review today a case regarding the release of the names, places of work and job titles of those on the list.

The Detroit News requested the information and the Michigan Education Association got an injunction last week that barred the release of the information.

"Why generate a report that is wrong?" Bruce Maxson said. "Before you put out a database affecting people's lives, their reputations, their good names. They should be held accountable. Somebody's feet should be held to the fire."

To get her name cleared, the Maxsons went to the Jackson County Sheriff's Department and had Jamie fingerprinted.

They sent the print card and a letter to the Michigan State Police asking them to verify that the prints of the convicted felon named Jamie Maxson were not the same as Jamie Maxson the teacher.

"My wife's last name was not Maxson in 1976," said Bruce Maxson, who has been married to Jamie since 1988.

While some are trying hard to make sure the names don't go public, others are, including state Rep. Rick Baxter, R-Horton. The goal of the lists, he said, was to keep felons or those convicted of child abuse out of the schools.

"In my opinion it was implemented improperly by the Department of Education," Baxter said. "There's obviously errors with the system. We pass the law, it's up to them to implement it." Originally, the legislation asked for the names to be released, but on Thursday it was updated to give school districts 14 days to verify the list before making it public. The school district alerts the Department of Education to remove incorrect names from the master list, Baxter said. If they do find a school employee's name on the list, they can either fire them or if they choose, they can keep them as an employee, but the superintendent and school board must sign a letter stating that they want the employee to remain. "They can easily verify the names and remove those names that are wrong," Baxter said. "The state must make every effort to make sure we don't taint any school employee with a bogus criminal record."

February 12, 2006

Traverse City Record Eagle

Editorial

## Bill put politics ahead of teacher reputations

**The issue:**

Teachers' criminal records

**Our view:**

Good policy from bad politics

The fallout over a new state law that requires public school districts to reveal the names of employees convicted of a crime is a classic example of what happens when partisan agendas and bureaucratic inertia trump the public good.

The situation is also a litmus test to see who wants to play politics and who wants to be practical and fair. So far, no one involved has been able to resist the former while grudgingly accepting the latter.

Though it now appears a practical solution is in the works, and an injunction against release of the names has been issued, the drama that unfolded when lists were released could almost have been scripted - and prevented - if anyone had cared to worry about likely repercussions.

It began last September when the Legislature passed a bill requiring the Michigan State Police to do background checks on 200,000 state school employees and turn the lists over to school districts. The districts, in turn, were required to fire anyone with a sex offense on their record and make the lists available to the public.

As public policy, that's unassailable.

Details, however, got in the way of the grand vision. It turned out that the records supplied by the state police contained dozens of errors. Teachers with immaculate records who had the misfortune of sharing a name with a felon were reported as having a criminal record.

Many have already been forced to defend their good name and trot off to the local state police post to be fingerprinted and prove their innocence.

The Michigan Education Association, the state teachers' union, immediately sought an injunction to prevent release of the lists until they had been verified.

That's fine. But predictably, the MEA also fired off some overwrought verbiage to underscore their point. MEA spokeswoman Margaret Trimer-Hartley, for instance called the process "a virtual witch hunt."

That's assuming the witch in question has a criminal record, of course.

House Speaker Craig DeRoche, R-Novi, initially said the lists must be released, errors and all.

These were just teachers, after all, not good GOP voters.

He also shifted the blame to the Department of Education.

"We would have assumed that the Department of Education checked these lists for accuracy before alarming our school districts, but we are finding out this was unfortunately not the case." So now it's their fault, eh? The legislation, of course, didn't call for any such thing, and the state police didn't think that was their job, either. When it's not someone's job, of course, it's no one's

job.

DeRoche has now backed a revision of the bill that would give school districts 14 days to verify information on the lists before making them public.

Unfortunately, the bill would also exempt those records from Freedom of Information requests for 14 days.

That's bad public policy, whatever the goal. The right of citizens and the media to use FOI laws to get access to public records is absolute, and can't be tailored to individual situations.

The proper approach is for the state police and the education department to work together to verify the records before they are released to school districts and someone's reputation is put in jeopardy.

All of this could have been avoided if everyone involved had been called together to think through the implications, including creating a way to fix the inevitable inaccuracies, before the lists were sent to individual districts.

That's not how things work in Lansing, of course.

The compromise looks like it will end up being good public policy. But getting there wasn't pretty.

# Errors found in crime checks

By: Ray Kisonas  
Monroe News

Story updated February 12. 2006 2:11AM

The state prepared background checks of school employees but local districts are finding inaccuracies.

The report was startling: A Monroe County teacher was convicted of assault with a dangerous weapon during a robbery.

The problem behind the report is it wasn't true.

Districts across Monroe County and the state recently have received criminal background checks of their employees prepared by the Michigan State Police as part of a new law that kicked in Jan. 1.

In most cases, the reports prove that teachers and others who work with children daily have no criminal skeletons hidden in their closets. But in some instances, the information simply was wrong.

"The inaccuracies are unbelievable," said Tim Cady of the Michigan Education Association, a union representative for several Monroe County school districts. "There have been some absurd charges."

In one report, an award-winning Huron Township teacher with an excellent reputation was reportedly convicted of drunken driving in 1989. When confronted by employers, the teacher was appalled because it never happened.

Thomas Hosler, superintendent of Huron Schools, said he double-checked the teacher's background and discovered the truth: The teacher's history was clean.

The report used a person who had the teacher's same name and same year of birth, but a different date of birth. Still, to be accused of having a criminal background was unnerving.

"It bothered the teacher greatly," Mr. Hosler said.

Criminal background checks of about 200,000 state school employees were completed and the findings were sent to district officials throughout the state.

The criminal history checks are part of a new state law intended to identify teachers who should not be in the classroom. Specifically, the law is trying to locate sexual predators.

"We totally support anything that helps to rid a classroom danger to kids," said Mr. Cady. "We're 100 percent in favor of that, obviously. But any time you assess this huge volume of people, you

assume there's going to be mistakes. That's the problem."

Officials with the Michigan Department of Education acknowledged that it has received complaints from districts regarding incorrect information. Furthermore, the state knew inaccuracies were inevitable because of the vast amount of information - names, dates of birth and Social Security numbers, said spokesman Martin Ackley.

To prevent that, a fingerprint system would be the only way to be 100 percent accurate.

"The Michigan Department of Education intended to have the local school districts be the final, and more direct, filter to identify these so-called 'false-positives'" Mr. Ackley said. "Our primary focus is to identify employees who may pose a danger to children and remove them from the schools."

By July, 2008, all school districts will be fingerprinting all employees. While the method should eliminate false positives, it is costly.

Terry Serbin, assistant superintendent of personnel at Monroe Public Schools, said it takes at least \$54 a person to be fingerprinted. Monroe County districts have pitched in to buy a portable digital fingerprint machine that adds an additional \$9 a person.

In the end, he said, costs could reach \$70,000 to \$80,000 for the district, which employs about 900 people.

"The concept of assuring there are no sexual predators in our schools is obviously something we all agree on," Mr. Serbin said. "But they didn't deal with how we're going to pay for it."

Districts have not determined if they or the employees will pick up the tab.

Mr. Serbin said the recently completed background checks produced information about an employee's criminal history only in Michigan. The fingerprint data will be nationwide.

Of all the hundreds of Monroe school employees checked, Mr. Serbin said only 10 individuals had some type of criminal history. Four of those were inaccurate. The other six had minor incidents on their records, such as traffic tickets. One had a misdemeanor offense from 1972. None was serious.

"It makes me feel good we have a high level of employees in our district," Mr. Serbin said. "I'm very confident we don't have sexual predators or other felons on our staff."

Other local educators felt the same. Donald Spencer, superintendent of the Monroe County Intermediate School District, said criminal background checks are done on potential employees before they are hired. But now the system double checks those histories.

Three out of the 410 ISD employees had blemishes on their record, Mr. Spencer said. But they were old and minor, such as traffic violations. And while he is in favor of targeting and weeding

out sexual predators, he wonders about having too much information about his employees.

"You can't argue with the purpose of it," Mr. Spencer said. "But there are some civil liberty issues here. What I'm finding is the information coming back is more than I need to know. People can get hurt from this."

Huron's Mr. Hosler agreed. One background check revealed a teacher was convicted of a minor theft in 1957. Additionally, that teacher is not even with the district anymore. Mr. Hosler is concerned that if such information is leaked it can cause unnecessary questioning of character.

"People make mistakes in life," he said. "It's kind of unfair that you have to relive that. How much of that information do I really need to know?"

The background checks are being placed in employee's personnel files for safekeeping, officials said. In the meantime, fingerprinting will begin soon. In fact, the ISD already has been electronically fingerprinting county school employees for some time.

But with so many that must be completed, the portable fingerprint machine, which should arrive soon, is needed.

And when they are completed in the next two years, the information is expected to be 100 percent accurate. School officials are hoping that it will prove their employees are solid citizens and belong in the classroom.

But, educators hope, it also will eliminate the false information now being circulated. Accusations about histories of drunk driving or worse could irreparably damage reputations.

"Imagine how upsetting that would be," the MEA's Mr. Cady said. "It's embarrassing and it isn't right."

Published February 12, 2006

## **List flaws: Inaccurate felony list forces school workers to prove innocence**

A Lansing State Journal editorial

A new Michigan law is doing a shameful job of persecuting innocent people. The victims will find those responsible in the State Capitol, and across the street in the governor's office.

The law, which took effect in January, requires the Michigan State Police to do criminal background checks on some 200,000 school employees. When criminal offenses turn up, school districts are notified and the employees are confronted with facts.

Those "facts", unfortunately, are sometimes dead wrong. As the LSJ and other Michigan media have reported, some people identified as convicted felons are, in fact, innocent. But they are nonetheless classified as criminals. They face lost time at work, damage to their reputations, even the loss of their jobs - all while trying to prove their innocence.

This is antithetical to the American justice system.

To some, the answer is: Bar the public from seeing the felony list. Wrong answer. On Friday, Ingham County Circuit Judge Joyce Draganчук ruled the state Department of Education cannot immediately make the list public.

It's a bad ruling that undermines the state Freedom of Information Act. The courts must not grant politicians and bureaucrats the power to withhold documents based on an accuracy claim.

The solution is not to shield the public from inaccurate documents, but to create accurate ones.

As LSJ columnist John Schneider reported last week, four employees of the Fulton School District were listed by state police as having criminal records. In two of the four cases, the state had the facts wrong. One employee was listed as having committed a serious crime. He was only 10 years old when he supposedly became a criminal.

Is what happened at Fulton indicative of what's happening across Michigan? Uncertain. But the Michigan Education Association said last week that it was deluged by calls from public school employees, mainly those who said they were wrongly put on the state's list.



The response from some state officials seems like a collective shrug. "This is not about embarrassing people ..." said a spokesman for House Speaker Craig DeRoche, R-Nov. We'd venture that "embarrassing" is a mild adjective describing the emotions of someone wrongly put on the felony list.

Gov. Jennifer Granholm, meeting with the LSJ Editorial Board last Friday, said if mistakes were made, people have "a free opportunity" to clear their names.

Let's see ... having your reputation potentially trashed, the added stress, possible suspension from your job, and having to get fingerprinted by the state police to help prove your innocence ...

That doesn't sound very "free" to us.

These mistakes are reminiscent of the Michigan Public Sex Offender Registry that began in the 1990s. That list, too, was riddled with inaccuracies, reducing its credibility to almost zero.

This new law was passed with good intentions. It was largely designed to identify convicted sex offenders working in schools, so they could be quickly removed. The law says anyone with a sex offense must be immediately fired.

But this laudable attempt at protecting children is self-destructing. People who share the same names can create a "false match." And, criminals can give police either a stolen or a fake Social Security numbers. Suddenly, the names of innocent people land on the list.

The bigger the list, the greater the chance of getting more bad information, says East Lansing political consultant Mark Grebner. In an e-mail to Schneider, he said: "(A) method that works for a match of 50 names against a list of 1,000 employees might work perfectly well, but matching 10,000 names against 250,000 would increase the chances of a false match by a factor of 500."

In short, the state has created a primitive, flawed system for background checks. The Legislature and Gov. Jennifer Granholm did it on the cheap, and they bear the responsibility for the consequences.

Obviously, those who commit crimes must pay the price. What is shocking and abhorrent is the price some school employees are paying for their innocence.

Saturday, February 11, 2006

## **Judge bars release of list naming school employees with convictions**

### **She calls it riddled with misinformation**

Mark Hornbeck / The Detroit News

**LANSING** -- A list of Michigan school employees with criminal records is riddled with so many inaccuracies, it doesn't make sense to release it to the public at this point, an Ingham County judge ruled Friday.

Circuit Judge Joyce Draganchuk issued a preliminary injunction keeping the records out of the public eye -- for now. She made her ruling this morning after hearing from four teachers whose names erroneously appeared on a list of felons working in public schools.

"The data is not information at all, in the stage it's in it is misinformation," Draganchuk said.

"The public is not served by having misinformation conveyed to them. It's worse than having no information at all."

Draganchuk also said public release of false criminal history on a school employee would be "a horrendous violation of that person's integrity."

James Stewart, an attorney representing The Detroit News who argued for releasing the records, said he thinks the public eventually will be able to learn about felons working in their children's classrooms. It's unclear when that will happen, but it appears to be at least several weeks away.

"The judge did a fair and thorough job. She simply found this list too unreliable," Stewart said.

A search last summer of the Michigan State Police criminal data base -- prompted by a new law targeting sex offenders -- revealed school employees with more than 4,600 criminal offenses, of which 2,200 were felonies including murder, sex crimes and kidnapping. A new law that took effect Jan. 1 requires criminal history checks twice a year.

The list recently was sent to local school districts, resulting in numerous claims from school employees that they did not commit the crimes revealed in the report. State police officials have acknowledged a number of "false positives" resulting from matches involving common names or stolen social security numbers.

The American Federation of Teachers Michigan, the state's largest teachers' union, sought to keep the names from being made public. The Michigan Federation of Teachers announced today it has joined that effort.

A Michigan State Police official said a new, cleaner criminal background checklist -- screened for year of birth and gender as well as names and social security numbers -- should be completed by March 1 and forwarded to the state Department of Education.

"This will drastically reduce the number of false positives. But I can't say it'll eliminate them," said Tim Bolles, who heads the state police criminal history section.

Arthur Przybylowicz, an attorney for the Michigan Education Association, said the union doesn't intend to keep under wraps the names of school employees who actually have criminal records. He said he anticipates the names will come to light after the new list is sent to local districts and employees falsely accused have a chance to clear their names.

Eric Frohriep, an elementary gym teacher from Eaton Rapids, testified that his record check indicated he had several convictions, including two larcenies he supposedly committed when he was 6 years old.

"It's very frustrating. I try to be a role model as a teacher," he said.

Stewart, the attorney for The News, said it's appropriate that local districts be given some time to check the accuracy of the record check before names are made public.

"The devil's in the details," he said. "How long is this period of time?"

"We're losing sight of the purpose of the law, which is to let the public know there are criminals around their children every day."

Tom Quasarano of the state attorney general's office said it's everyone's intention to get accurate information out and the education department and local districts need time to figure out who should be and who should not be on the criminal history list.

"This is about right to privacy and the right to know and an appropriate public tension," he said.

*You can reach Mark Hornbeck at (313) 222-2470 or [mhornbeck@detnews.com](mailto:mhornbeck@detnews.com).*

# Nutrition program for elderly targeted

## President wants needy to switch to food stamps

By FREDERIC J. FROMMER  
Associated Press

WASHINGTON — The boxes arrive every month at churches, senior citizen centers and other sites for distribution to nearly a half-million poor elderly people.

Each is stocked with a mix of nutritious foods such as cereal, peanut butter, fruit, vegetables and pasta. Sometimes volunteers deliver them right to people's homes.

Now President Bush wants to eliminate the program, one of 141 federal initiatives that his proposed new budget would scrap or cut dramatically. He is proposing to shift people in the Commodity Supplemental Food Program over to food stamps.

Defenders of the nutrition-in-a-box program say many elderly people are reluctant to sign up for food stamps, and, in any event, the commodity program often provides a more

generous package.

"It really does come under the category, in the most extreme way, of balancing the budget on the backs of those who are most needy. And in this case we're not even balancing the budget," said Wisconsin Sen. Herb Kohl, the ranking Democrat on the Senate Appropriations agriculture subcommittee.

"I call it misplaced priorities. How do you justify doing something like this, while at the same time giving people like Herb Kohl huge tax cuts?" said Kohl, a multimillionaire.

The commodity program, run by the Agriculture Department, benefits mainly elderly people, although some new mothers and children also participate.

The department wants to move recipients to food stamps in the fiscal year that begins Oct. 1.

The program cost about \$111 million this fiscal year, including a \$4 million supplement for victims of Hurricane Katrina.

The program, which dates back to 1968, operates in 32 states and the District of Columbia.

Critics of the switch to food stamps say seniors don't like the program because of the perceived stigma of using food stamps and the paperwork hassles.



Bush

# AARP program provides tax help, return preparation for senior citizens

LSJ  
WD  
BY EILEEN PUTNAM 213

Associated Press

As an accounting major, Diane Flook had studied income tax preparation, but the subject truly came alive when she took that knowledge into a senior citizens center and helped elderly people with their tax returns.

"One of the things I ran into was a lot of seniors don't really know anything about their money," Flook said. "Their husband al-

ways did their taxes but he died, and the woman came in and it was hard to make her understand it."

Flook is one of more than 32,000 volunteers for AARP's Tax-Aide program, which helps nearly 2 million elderly people with their taxes at some 7,800 sites. Sponsored by the Internal Revenue Service, Tax-Aide is the largest free tax counseling and preparation program in the country.

The IRS provides training materials for Tax-Aide volunteers,

mainly about tax issues that pertain to the elderly — like pension and Social Security income, dividends and bank interest.

The 2006 filing program began Feb. 1. People needing help should bring photo identification, Social Security card, wage and earning statements, interest and dividend statements, a copy of last year's federal and state returns if available, and bank routing numbers and account numbers for direct deposit of refunds.

# Medicaid HMOs say Granholm plan could boost enrollment

By Michelle Martinez  
Crain's

• February 13, 2006

Michigan's Medicaid HMOs say Gov. Jennifer Granholm's proposed plan to cover the state's uninsured could boost their enrollment and attract federal health care dollars to the state, if only election-year politics don't get in the way.

"This has very significant potential," said Roman Kulich, president and CEO of **Molina Healthcare of Michigan** in Troy, the largest Medicaid carrier in the state. "We see this as a business opportunity ... and an economic-development (opportunity)," he said.

Granholm proposed two weeks ago during her State of the State address a new health plan designed to cover half of the state's uninsured, or about 550,000 residents, with basic coverage including preventive and primary care, emergency room services, hospitalization, mental health care and prescription drugs.

The plan, called the Michigan First Health Partnership, would involve "minimal" out-of-pocket costs for participants, and would require a federal waiver to tap into \$600 million of federal money the state argues has been saved by switching its Medicaid plans to managed care in the late 1990s, said T.J. Bucholz, director of communications for the **Michigan Department of Community Health**.

"We hope to have it implemented in April 2007. But between now and then there is an awful lot of work to do," he said.

Kulich said the state had indicated that it would like to administer the plan through HMOs, which could mean an upsurge in enrollment for participating HMOs.

Dawn Koehler, vice president of government and public relations for **Great Lakes Health Plan** in Southfield, said that the Medicaid HMO is waiting on the details, but that if the company were a player, "it would increase our enrollment."

Bucholz said that the state would tap a variety of private insurers to administer the program, including Medicaid HMOs.

But the plan's potential still hinges on its ability to weather the state's Republican-led Legislature during an election year. Republican members of the Senate Healthy Policy Committee already raised concerns during hearings on the plan Wednesday.

State Sen. Tom George, a Republican physician from Texas Township, said that the current Medicaid plan should be changed to provide incentives for healthier behavior before we consider a massive expansion of it.

George in October proposed legislation that would tie cuts in insurance premiums to healthy behavior such as quitting smoking or losing weight. The bills are sitting in the Senate Health Committee.

George also said that covering more of the uninsured could make demand for health care services spike and, with limited medical resources in the state, raise health care costs for everyone.

“If we’re going to get extra money in the state, why not fix the current program before we start another one?” he asked.

State officials said that the plan would direct low-income people toward preventive care instead of expensive emergency-room care, saving the state money in the long run.

Peter Pratt, senior vice president for health policy at Lansing-based **Public Sector Consultants**, said that despite the fact that Granholm probably had “some confidence” about receiving the federal waiver, moving it through the state Legislature would be “tough sledding.”

“There’s no historic precedent for something as bold as covering this many of the uninsured,” he said.

## Michigan Report

February 10, 2006

# **PAPER LOOKS AT MEDICAID REFORM EFFORTS IN OTHER STATES**

With Medicaid populations and costs rising substantially across the nation, a number of states have sought federal waivers for their Medicaid programs to help control costs, and a paper released by the Senate Fiscal Agency said those efforts have focused on trying build flexibility into the system.

The paper, which looked at federally-granted waivers given to six states, also said that as much as possible, those states have tried to bring private insurers into the system.

But in some cases the efforts those states are taking match in substance what Michigan has done already in terms of placing the bulk of its Medicaid population into privately-run managed care systems. The state also generates more than \$100 million in Medicaid revenue and reimbursements to the managed-care system through provider taxes. And the state's adult benefit waiver matches a new policy that Iowa is instituting.

But a proposal being instituted by Kentucky to link covered medical benefits with categories of recipients could be considered by Michigan, the paper said.

The paper was released as the state is hoping to win what it calls a "super waiver" from the federal government to help create a new health insurance program for uninsured adults. Governor Jennifer Granholm proposed the program last month in her State of the State address.

Some of the state efforts outlined in the paper were also profiled last week for a House committee by officials of the American Legislative Exchange Council.

The paper looked at waivers and restructuring efforts in Florida, Georgia, South Carolina, Kentucky, Vermont and Iowa. While controlling costs and gaining flexibility was a common theme of the restructuring efforts, each state started from a different basic operating premise for Medicaid. Georgia had seen its Medicaid population grow by 83 percent from 2000 to 2005 and had projected that an "increasing proportion of state revenues generated over the next five years" would have to be allocated to the system.

Vermont, on the other hand, has for some years aggressively tried to find ways to help lower income individuals and their children take part in the system.

Nationally, the average cost of operating Medicaid programs has risen 9.4 percent a year from 2000 to 2005, and national enrollment each year during that time has also risen by 5.8 percent a year.

The paper did say that a proposal in Kentucky linking benefits with enrollment categories could be considered by the state if it wanted to link those benefits more efficiently than it does now. Kentucky



puts a cap on benefits to help create cost-sharing efforts that are then also linked to out-of-pocket costs by recipients. Michigan is attempting this process in a more limited way in dealing some caregiver categories and in coverage of 19 and 20-year olds.

“The paper points out something that people need to know about our Medicaid system: The state has adapted and is adapting to try to control costs,” said T.J. Bucholz, spokesperson for the Department of Community Health. “Many of the things these other states are doing have already been done here.”

But he said the department is looking at some of the things Michigan has not yet tried to see which might work here.

The Grand Rapids Press

Letters for February 13

## **Getting a grip on health care**

I read with considerable agreement Jim Howard's letter, "Universal health care" (Pulse, Feb. 3) decrying the lack of health care coverage for some 45 million Americans. Americans today spend about \$1.8 trillion or \$6,000 per person each year on health care.

That amounts to about 16 percent of the gross domestic product of the country. The quality of care delivered at that price is superb, but the inequality of the delivery of that care is an embarrassment to a nation with the most vibrant and successful economy in the world. It is apparent that Congress and the federal administration are not going to come to meaningful grips with this issue. They have, instead, adopted an incremental approach to the problem, creating a jerry-built, patchwork system of health care delivery that leaves 16 percent of our citizens without access to quality care.

There may be alternatives to single-payer, federally funded universal health care. Mitt Romney, governor of Massachusetts, has proposed to his state legislature a program that, it is hoped, would cover all of the 500,000 uninsured in Massachusetts.

This would utilize a combination of Medicaid for the extremely poor, state subsidies for the working poor and a mandate requiring purchase of basic coverage by those who really can afford it but have elected not to spend the money.

Governor Granholm, in her State of the State address, described an approach with some of these elements but did not make a reference to Romney's proposal. In any event it seems that the states may well lead the way in trying to assure that quality health care is available to all citizens. Good luck to them. We need it!

ROBERT S. LEVINE, M.D.  
Grand Rapids

REPORT NO. --, VOLUME 35

Michigan Report

February 9, 2006

## **INSURANCE PROPOSAL STILL DRAWS QUESTIONS IN D.C.H. BUDGET**

A \$178 million line item of federal funds in the otherwise \$11.3 billion 2006-07 proposed Department of Community Health budget was technically the issue legislators focused the most on, because that \$200 million represents a placeholder for Governor Jennifer Granholm's Michigan First health insurance proposal.

And the questions directed most at the proposal dealt with the appropriateness of having a state insurance program at all.

Ms. Granholm proposed the health care plan as part of her State of the State address last month. The proposal will require a federal waiver, and state officials hope that if the waiver is granted the state could begin the program in April 2007.

Officials said that an estimated 1 million adults in Michigan do not have health insurance and this program could provide coverage for up to 550,000.

The \$178 million would include \$65.8 million in general funds.

The proposed budget total is \$11.3 billion, up 9.1 percent from the current year. The general fund total proposed is slightly more than \$3 billion, up 1.7 percent from the current year.

The budget is the largest aside from the state's K-12 School Aid budget.

And Medicaid is King Kong to the rest of the budget's Fay Wray (Naomi Watts to anyone under 30)-like stature. Better than \$10 billion total goes in one or another program to cover Medicaid expenses, more than \$2.5 billion of that in general funds.

The basic Medicaid program is \$4.5 billion total, \$739 million in general funds; the Medicaid fee for service program totals \$2.4 billion, \$568 million in general funds; Medicaid managed care services total \$201 million, all in general funds; the Medicaid adult benefits waiver totals \$2.4 billion, \$887 million in general funds; the Medicaid mental health system totals \$318 million, all in general funds.

To queries of why the state wants to pursue the health insurance system, State Budget Director Mary Lannoye said to help reduce long-term Medicaid costs and reduce the hidden cost of caring for uninsured. Those costs amount to more than \$700 an insured person, she said.

But Sen. Tom George (R-Portage) argued that the state would be better served by trying compel changes in behaviors of Medicaid recipients to make them healthier. Michigan is already among the unhealthiest states because of its behaviors, has grown more unhealthy over the years, and yet has a population that is one of the best insured in the nation.

“Why don’t you try to get a waiver so we can have incentives” for health behavior? Mr. George asked.

The budget also calls for an increase in the quality assessment program of hospitals and Health Maintenance Organizations, the so-called bed tax, which could result in another \$43 million in federal Medicaid funding.

Rep. Bruce Caswell (R-Hillsdale) said that program would benefit mostly hospitals in Southeast Michigan, but Ms. Lannoye said the hospitals in Southeast Michigan see the bulk of Medicaid recipients in Michigan.

# Teen Accused Of Stabbing Mom 111 Times Makes Plea

## *Woman Found Dead In Rochester Hills Home In April*

POSTED: 1:16 pm EST February 10, 2006

A 16-year-old boy agreed Friday to serve 22 1/2 to 34 years for murder in the death of his mother, who was found with 111 stab wounds.

Christopher Dankovich (pictured) pleaded guilty as charged to open murder in Oakland County Circuit Court.

"He didn't want to leave prison in a casket," said Assistant Oakland County Prosecutor Lisa Ortlieb Gorcyca.

Open murder includes first-degree and second-degree murder, and the sentence Dankovich agreed to corresponds to second-degree murder. If convicted of first-degree murder, he would have faced a mandatory life sentence.

Dankovich was 15 when his mother, Diane Michele, 50, was found dead in her Rochester Hills home on April 25. The teen was arrested later that day at his family's cabin in St. Helen, more than 100 miles to the north in Roscommon County.

Dankovich also pleaded guilty Friday to using a computer to commit a crime, a four-year felony. Gorcyca said he had been using his computer to learn how to make a bomb to threaten someone and then killed his mother after she found out what he was doing.

Gorcyca declined to identify the target of the threat.

Sentencing is scheduled for March 6 before Judge John McDonald.

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# Foster care rules: Keep politics out

Editorial

The Grand Rapids Press

Thursday, February 09, 2006

Michigan may or may not need any new rules governing adult foster care services, but there definitely is no call for regulations clearly discriminating against non-union homes.

That blatant bias has shown up in drafts of rules drawn up by the Granholm administration's Department of Human Services. Now a series of bills in the Senate, backed largely by Grand Rapids-area lawmakers, aims to forbid any such tilt. This is apparently necessary legislation. The government, very simply, should be neither assisting union organizing efforts or obstructing them. Beyond that, the union forces that are backing the labor preferences should know that the tactic could backfire on them when a less labor-friendly administration inevitably rewrites the rules.

The administration has had the rules in draft form for months, long enough for them to attract the strong opposition of adult foster care and assisted living organizations, representing some 5,000 such homes in the state. Hope Network in Grand Rapids, for one, has said the regulations would generate paperwork, create new bureaucracy and "drive up costs unnecessarily with no recognizable benefits for residents."

Pushing for the changes has been the American Federation of State, County and Municipal Employees, the union that wants to organize the largely non-union industry. Drawing homes into the union fold would be assisted by rules that make license renewals easier for homes that are unionized than for those that are not.

The draft rules would impose elaborate new administrative, employee wage-and-benefit and staffing requirements, making homes' license renewals dependent upon compliance -- but with an automatic assumption that homes covered by collective bargaining agreements already are in compliance. They thus would be outside state scrutiny.

Both the House and Senate have inquired into this issue. The Senate is farthest along, with five bills emerging this week from the Families and Human Services Committee, chaired by Sen. Bill Hardiman, R-Kentwood. The bills, whose co-sponsors include Sens. Ken Sikkema, R-Wyoming, and Alan Cropsey, R-DeWitt, would bar union preferences from statutes covering foster care and assisted living group homes. Language in each bill says that "a rule promulgated under this act shall not discriminate in favor of or against any provider . . . based on the presence of, or lack of, a collective bargaining agreement with employees."

This is basic collective-bargaining equity, ensuring that the state holds to a neutral stance regarding union organizing.

The position of AFSCME and Department of Human Services has been that no rules are in place and so no legislative action is appropriate. But also true is that once the rules are officially embedded in the state's regulatory framework, amending them -- if possible at all -- would be time consuming and complicated.

The legislation ought to go forward, though its chances of being signed by Gov. Jennifer Granholm likely are doubtful at best. The governor's wisest option would be to head off any collision with lawmakers and the care industry, making sure that any new rules covering adult care contain no preferences for labor and do not impose unnecessary costs and intrusions on the foster homes and their employees. This shouldn't be a political issue. It's about state government's duty to be reasonable, restrained and evenhanded. Slanted, onerous labor relations rules don't qualify.

# Volunteers to hit streets to help with heat

LAPEER COUNTY

THE FLINT JOURNAL FIRST EDITION  
Sunday, February 12, 2006

By James L. Smith

LAPEER - With a total monthly Social Security income of \$543, Yolanda Doty, 70, of Lapeer became desperate last year as fuel bills mounted. "I was frightened my heat was going to be turned off," Doty said. "People don't realize what a struggle it is for seniors. I was a nervous wreck." Doty's bill for electric heat in her first-floor apartment had reached \$515, and with her only transpiration a local bus system she ran into a brick wall in finding help.

Then she was directed to the Human Development Commission, a private nonprofit agency that found the money to pay her bill through a program funded by donations and a DTE Energy and Public Utilities Commission program.

Doty, who has seen larger and larger bills this year, has so far not needed help, but she's happy to know it's there.

"We're seeing a 40 percent increase in heating costs of deliverable or natural gas," said Richard Kloor, a spokesman for the state Human Development Commission.

That's where the annual Walk 4 Warmth fundraiser comes in. Walkers collect money to help people in need pay energy costs.

Last year, the event, in which participants walk through Lapeer, raised about \$42,000 for energy help in Lapeer, Huron, Sanilac and Tuscola counties. Kloor is hoping for much more this year to offset the loss of utility and government subsidies.

The four-county HDC energy assistance program is slated to receive \$98,000 this winter, down from \$273,000 in 2004-05 and \$316,000 in 2003-04, said Kloor, director for human resources and information and technology.

For the first time, HDC has been forced to prioritize with a point system determining who gets the emergency help first, Kloor said.

The elderly and women with children are at the top of the list. Those people working to become self-sufficient and single males are at the bottom of the list, Kloor said.

Last year, HDC helped 205 Lapeer County households with an average grant of \$391, Kloor said.

## QUICK TAKE

Walk 4 Warmth

WHAT: A fundraiser by the private nonprofit Human Development Commission to help residents who fall short on monthly heating bills.

WHEN: 9 a.m. registration, 9:30 a.m. walk Feb. 25

WHERE: Historic Courthouse at Court and W. Nepessing Street in downtown Lapeer.

HOW: Walkers collect pledges in advance and then walk to represent the pledge makers.

## ADDITIONAL

WALK-4-WARMTH FUNDRAISER:

Glamo-Rama Spa Day, 11 a.m.-4 p.m. March 4 at the Lapeer Center Building, 425 County Center St. in Lapeer. Pampering activities including mini-manicure, color makeover facial, 20-minute chair massage, hand treatment, hair styling certificate.

Silent auction, door prizes and other giveaways. Cost is \$40 and tickets are available at HDC office, 1559 Imlay City Road; Burke's Flowers, 148 W. Nepessing St.; Independent Bank, 1985 W. Genesee St.; Marie Kenny (810) 245-4564; Lapeer County Bank, 83 W. Nepessing St. (Louise Vermillion).

DETAILS: Deb

Marquardt, (810) 664-7133.

Source: Human Development Commission



Often, pride makes people wait until the last moment to seek help for an impending utility shutoff.

While utility companies will often roll the bills over without payment, the mounting debt simply compounds itself in the next year.

"Plus, the rates keep going up for the fuel," Kloor said. "We have a lot of working families who, after they fill the car with gas and a few other catastrophes hit them, there is little left over to heat the house."

Allocations of money raised in the walk are distributed based on population. Last year, Lapeer County received 29 percent of the money raised.

***Detroit News***  
***Macomb Briefs***  
***February 13, 2006***

## Walk will help pay families' heating bills

### **Macomb County**

Area residents will have an opportunity to walk for a good cause Saturday when Macomb County's Community Services Agency hosts its 16th annual Walk for Warmth. The three-mile walk begins and ends at St. Therese of Lisieux Church, 48115 Schoenherr in Shelby Township. Proceeds will help low-income families pay their heating bills. The Michigan Community Action Agency has pledged to match all funds raised. Registration begins at 9 a.m., and the walk begins an hour later. Walkers must get a minimum of \$10 in pledges. Call (586) 469-6999.

# Macomb struggles to aid homeless

Population, people's needs continue to rise, but tough economy has hampered fundraising.

*Steve Pardo / The Detroit News  
February 13, 2006*

**MOUNT CLEMENS** -- Macomb County officials had the best intentions when they announced a fund drive to aid the county's growing homeless population. But two months after the launch, the program is far behind expectations.

Officials hoped to raise at least enough to shelter an estimated 800 homeless people through the winter months. That amounts to a minimum need of about \$35,000. But despite "tremendous" media coverage, according to Phil Frame, Macomb County spokesman, only about \$9,700 has been raised for the Macomb Together/Helping at Home program.

"We certainly need more," Frame said. "Nowadays, these are families and children more than they are the traditional homeless that people run into on downtown streets asking for handouts." There are an estimated 1,100 homeless people in the county. And the needs of the homeless are growing, said Jimetta Lewis, executive director of Macomb County Rotating Emergency Shelter Team. The organization works to provide temporary emergency shelters in churches.

"Fundraising is down," Lewis said. "The economy has not been very nice to Macomb County, and we are seeing more people who have come in for the very first time that are now homeless and very much in distress."

About 80 Macomb County churches help accommodate MCREST clients year-round. In 1999, MCREST counted about 13,000 shelter nights, which is calculated by multiplying the number of homeless served by the nights they spent in temporary shelters.

The next year the number had grown to about 15,000, Lewis said. And in 2005, the number of shelter nights was 19,415. Last year MCREST had to turn away more than 1,020 people -- including more than 230 children -- for lack of space.

There is no end date for the fundraising program, Frame said, and officials are still looking for contributions. Money raised from the campaign will go the Macomb Homeless Coalition -- a group of local nonprofit organizations that provide support services and shelter. Money will also go to the Macomb Food Program.

"We've made it pretty simple," Frame said. "There are two basic aspects: One is housing and the other is food."

People can send a check to Macomb Together, Mount Clemens, MI 48043. They don't even need a street address -- county officials have worked out arrangements with the postmaster to ensure donations come through. Contributions are tax-deductible.

What makes the fundraising efforts for the homeless especially vexing to officials is that they followed the same model as they did when they sought Hurricane Katrina donations. After four months of Katrina efforts, the county had collected \$250,000.

"The problem was, Katrina was on television 24 hours a day," Frame said. "It was in every paper. The homeless problem is kind of an unseen problem. People don't commonly bump into homeless people. They don't see the problem."

# Grant ending, efforts aren't Anti-domestic violence funds dry up, but dedication will stay in place

Sunday, February 12, 2006

BY ART AISNER

Ann Arbor News Staff Reporter

Funding for a countywide initiative to address domestic violence will officially end next month, but local officials say they will continue the county's commitment to eliminating the problem. Washtenaw County was one of three communities around the country chosen in 1999 to build a coordinated community response to domestic violence. It was part of the Judicial Oversight Demonstration Initiative, or JODI, sponsored by the U.S. Department of Justice's Violence Against Women Office and the National Institute of Justice.

The initiative infused \$2 million annually over five years to increase prosecution of domestic batterers, improve tracking of convicts and enhance support services. It funded a dedicated prosecutor's office of Packard Road in Pittsfield Township, five probation officers, four prosecutors and two victim advocates.

The original JODI grant expired in April 2004, but the Washtenaw County Prosecutor's office maintained the program at a reduced staffing level with a \$700,000 grant that ends March 4. Identical JODI grants for Milwaukee County in Wisconsin and Boston also expired.

The office is shuttered and, in all, seven full-time positions will be eliminated from the county payroll next month without the federal funds. But those positions were already vacant and phased out through department attrition, minimizing impact on current staffing, said Washtenaw County Prosecutor Brian Mackie.

The most immediate impact on the community will be the county's ability to continue dedicated prosecution for domestic violence in the long-term.

Funding ends in July 2007 for an assistant prosecutor and a victim advocate position dedicated to domestic violence through a smaller U.S. Department of Justice grant. Financing for a domestic violence probation program in the 15th District Court, also through the Department of Justice, expires one month earlier. Alan Israel, Mackie's chief of staff, said the office will reapply for funding when the time comes.

Systematic changes implemented through the initiative are still in place, such as dedicated domestic violence court dockets, intensive probation supervision, and pretrial release and bond conditions.

"The work goes on and the initiatives we started continue. We're just doing it with less people," said Israel.

Also participating in the project were the Washtenaw County Sheriff's Department; the Ann Arbor, Pittsfield and Ypsilanti police departments; the 14th and 15th district courts; 15th District Court probation department; SafeHouse Center, and Catholic Social Services.

A report about the initiative is pending from the National Institute of Justice, but Mackie said the positive results locally are undeniable. Domestic violence still amounts to about 20 percent of the

department's caseload, but the streamlined approach allowed prosecutors to focus more on building cases and reduced probation officers' caseloads, he said.

The increase in one-on-one contact between victim advocates and the victims themselves also reduced the case dismissal rate dramatically, Mackie said.

Elizabeth McGuire, president of the board for SafeHouse Center, said the program allowed police, court staff and attorneys to work collaboratively to stop crime. Even without the money, the improved communication, consistent training, and the public awareness spurred by the project puts Washtenaw County far ahead of where it was, she said.

"The commitment and desire to address has not waned," said McGuire, also deputy police director for Pittsfield Township. "We're still going to aggressively enforce our domestic violence laws."

In 1992, the county passed the only property tax millage in the nation dedicated to the construction and maintenance of a battered-women's shelter - the SafeHouse Center. The prosecutor's office has a policy not to consent to pretrial diversion programs in domestic violence cases and strongly discourages deferred sentences.

"Our protocol for domestic violence cases is also called homicide prevention because we want to keep that foremost in people's minds," Mackie said. "People tend to downgrade domestic or misdemeanor assaults as not serious, but if you looked at our murders, they all started with milder assaults."

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REPORT NO. --, VOLUME 35

Michigan Report

February 9, 2006

## **BUDGET: D.H.S. PILOT PROGRAM WOULD MOVE PEOPLE TO SELF SUFFICIENCY**

The Department of Human Services' budget would grow by 10 percent under Governor Jennifer Granholm's budget proposal and would also establish a pilot program to assess recipients' barriers to strength at the onset of their application in a move toward getting more welfare recipients to self-sufficiency.

The Jobs, Education and Training Pilot program (JET) is designed to provide a comprehensive approach to assessment, as well as provide training services and support prior to employment and after employment is achieved. The program is intended to save the state \$11 million in general fund monies by 2007, but the initiative would begin during the current fiscal year.

Republicans found the new program intriguing, saying that it will have to be reviewed further. JET incorporates programs from other states but the overall program is unique to Michigan, said Sharon Parks of the Michigan League for Human Services.

But Rep. Jerry Kooiman (R-Grand Rapids), a main advocate of welfare reform that fell to the veto pen of Ms. Granholm last year, said he still doesn't see any substantive welfare reform in the budget proposal. "We have to make real progress" beyond pilot programs, he said.

The budget also calls for hiring of 51 new Child Protective Services employees, increasing staffing levels by 7 percent. DHS supports 77,640 cases that include 155,280 children in the state.

Increased caseloads and implementation of a new computer system, Bridges, will bring the DHS budget to \$4.47 billion (\$1.19 billion in general funds). In 2006, DHS has a budget of \$4.43 billion, with \$1.08 in general fund. The budget calls for \$5.5 million to be directed to completed installation of the computer system.

Error reduction efforts, a cooperation between DHS and the Department of Community Health, that would identify and close Medicaid cases to people who do not meet eligibility requirements also are outlined in the 2007 budget. Savings from error reductions are expected to equal \$8.6 million and are reflected in the DCH budget (see related story).

The state will have to allocate \$78 million from the general fund to cover shortfalls in 2007 to Temporary Assistance of Needy Families (TANF) funds, which are usually covered by carry over money. However, those funds have been depleted at this point.

In reacting to the budget, Ms. Parks said there are still structural issues the state will have to address when the economy is at a better point. Most notably she said is the continued problems with staffing levels at DHS.

While Republicans are pushing for time limits on cash assistance to able-bodied adults, Ms. Parks warned that welfare reforms should not be seen by lawmakers strictly as cost savings measures.

Sharon Peters, executive director of Michigan's Children, praised parts of the DHS budget, but said other parts missed the boat.

Ms. Peters said the proposed increases for child protective services were essential. "Those are our most vulnerable kids," she said. "When we're so severely understaffed the state isn't able to assure that we're putting them in a location that's safer than if we'd left them there in the first place."

But she said the licensing program for childcare providers should have received equal attention.

"It's important that we look at child care licensing," she said. "It's similar to child protective services in making sure that kids are really safe."

Sen. Bill Hardiman (R-Kentwood), who led welfare reform efforts in the upper chamber, said he plans to examine the JET program, but also said with federal cuts in human services coming down the pipeline, the state must be prepared to deal with the impact before it happens.

**2006 SUPPLEMENTAL:** Ms. Granholm outlined a supplemental for the department's current budget with allocation of \$1.9 million in federal child care development funds; \$300,000 in federal and state restricted funds for Children Trust Fund activities; \$600,000 in local revenues to help fund child support activities and \$38.7 million in general fund money to cover federal shortfalls in TANF and social services block grants. However, with new federal child day care funds to the tune of \$6.6 million coming into the state, the net increase in needed general fund money will equal \$32.1 million.

With Republicans already holding speculative hearings on DHS policies and accounting practices related to audits by the Office of Children's Ombudsman and the Auditor General's Office, additional funding for DHS might be an uphill battle.

Michigan Report

February 10, 2006

## **GRANHOLM SAYS BUDGET TOUGH BUT MEETING NEEDS**

Increased funding for the state's school students that includes money for new after school programs, and additional funding for Michigan's colleges and universities were the headline items in Governor Jennifer Granholm's proposed 2006-07 executive budget. Ms. Granholm said despite continuing financial gaps the administration was able to develop a tough but balanced budget that helps the state prepare for economic development.

That assessment was instantly challenged by legislative Republicans, who questioned the basic financial numbers used for the \$9.3 billion general fund portion of the budget.

The spokesperson for Senate Majority Leader Ken Sikkema (R-Wyoming) said no other aspect of the budget can even be discussed until the question of why Ms. Granholm's general fund revenues are \$900 million more than the tax revenues the Revenue Estimating Conference projected in its January meeting.

Republicans also challenged the administration's call to close \$110 million in tax loopholes, saying that too did not demonstrate living within the state's means. Though the administration said all that needed to be done to approve most of the loophole closings was to adjust some legislative tie-bar's that were added in November, the House Appropriations Committee chair said that proposal does not pass muster.

And Republicans were very critical of the administration's proposal to blend the tuition grant program with the state's competitive scholarships.

The spending total in the proposed 2006-07 budget, when federal and restricted funds are included, amounts to \$42.6 billion, \$1.4 billion, or 3.3 percent higher than the proposed budget she presented in February 2005.

The general fund portion of the budget would total slightly less than \$9.3 billion, and that is what instantly drew the fire of Mr. Sikkema since the Revenue Estimating Conference anticipated general fund tax revenues of about \$8.4 billion.

However, similar adjustments were made to previous budget presentations (see related story).

In a press conference, Ms. Granholm said she was glad that the budget was able to put additional money into several key areas that would provide long-term benefit to the state



economically, particularly the early education proposal that will help get children ready to learn and an after-school program for middle school students that will focus on mathematics, science and computer programs. The middle school program will also help better prepare students for the more rigorous high school curriculum the Legislature is expected to enact, Ms. Granholm said.

She also said the state was able to get to a critical issue identified by the state's Long Term Care Commission that said a way had to be found to maintain a stable workforce to care for elderly adults.

The state has proposed an additional \$20 million for salary increases for many long-term care workers to help keep workers in jobs that often have high turnover because of low wages. (That, too, drew Republican ire. Budget Director Mary Lannoye said workers in 45 counties would see benefit, and that Wayne County workers would probably see 20 percent of the total increase. Rep. Bruce Caswell (R-Hillsdale) said many rural areas wouldn't benefit, and Ms. Lannoye immediately shot back, "And a lot would.")

In sum, Ms. Granholm said, while the budget reflected tough choices it still met the priorities of providing for the state's public education, preserving health care for the state's neediest and providing for safe communities.

Education clearly saw the biggest benefit in the budget, with a \$200 per pupil increase in the basic allowance that would raise the basic allowance to \$7,075 per pupil. Ms. Granholm has also called for an additional \$25 per pupil to be paid this year that would raise the total to \$7,100 a student if all her proposals are passed.

The increase is allowed both by healthy boosts in total School Aid Fund revenues and a slightly smaller school population. (See related story).

But the budget also for the first time since Ms. Granholm took office calls for an increase in the base funding for the state's four-year colleges and two-year community colleges, with no specified requirement of tuition restraint (though she said she expects the universities to show restraint). In 2003, she proposed a cut in higher education funding; in 2004, a freeze contingent on tuition restraint; and last year there was a dispute over how additional dollars were being allocated.

Another highlight of her budget, which Republicans promptly promised to severely scrutinize, was a proposed \$100 million capital outlay incentive program for local governments to develop tourism and economic development programs with private business.

Senate Appropriations Chair Shirley Johnson (R-Troy) said the Legislature would decide how much money was allocated to such a program and which proposals would get funding, even though Nancy Duncan of the State Budget Office said the program would be structurally very similar to how colleges make building proposals.

## **Budget: Health proposal is high point of status quo effort**

A Lansing State Journal editorial

Gov. Jennifer Granholm's proposed 2007 state budget isn't radical. It will be contentious ... this being an election year.

And, if adopted, the budget will largely uphold the status quo in Michigan. That's fine, if Michigan's status quo is good. It isn't.

As usual, the governor's base spending plan is sprinkled with some good ideas, marked by good intentions, but slathered with too much caution to generate significant reform.

The pointy-est points:

- Granholm's plan to extend health coverage to half a million uninsured residents is bold and consistent with her call to advance Michigan's quality of life and aid burdened state businesses.

An insured population will be healthier, will put less medical and financial stress on state hospitals and be less of a financial and productivity burden to state businesses. Granholm will have many fights this year, but she should save all possible political capital for this one.

- By contrast, Granholm's plan for colleges and universities is oddly timid and inconsistent with her stated views. The governor has rightly focused on the need to boost advanced education in Michigan. Yet previous budgets have left colleges with little, a policy barely altered in the 2007 plan. Michigan State University, for example is getting the average treatment with a 2 percent state aid increase.

If change in higher ed is vital, why does the governor's spending plan place so little emphasis on it?

- The governor is touting a \$200 increase in the state foundation grant to public schools. This would push the minimum per-pupil allotment above \$7,000.

K-12 education remains a top priority for politicians and the public alike. But, as some school officials already warn, state increases will be chewed up by rising costs of staff health and pension benefits.

If Michigan doesn't link school aid to benefit reform, won't schools be left to simply tread water?

This budget's high points aren't bad; neither, though, are they remarkable.

# Petitions seek \$6.85 minimum wage

February 11, 2006

BY CHRIS CHRISTOFF  
FREE PRESS LANSING BUREAU CHIEF

A campaign to raise Michigan's minimum wage to \$6.85 an hour kicks off Monday with a cause that is part social justice and part partisan politics.

While relatively few Michigan workers -- even those in the fast-food industry -- are paid the current \$5.15-an-hour minimum wage, the issue is likely to resonate with most Michiganders, polls show.

A petition drive, which includes backing from the Michigan Democratic Party and labor unions, seeks a constitutional amendment to raise the minimum from \$5.15 to \$6.85 an hour.

The campaign must collect 318,000 valid signatures of registered Michigan voters by July 10 to put the issue on the November ballot.

In 2004, among Michigan's 2.9 million hourly workers, 90,000 were paid at or below the \$5.15-per-hour minimum. That's about 3% of the hourly workforce, according to the U.S. Bureau of Labor Statistics.

It's unknown how many workers earn between \$5.15 and \$6.85 an hour.

The proposal would add yet another splash to this year's election that already asks voters to make decisions about emotionally charged issues such as affirmative action and dove hunting.

The minimum wage campaign is one of a dozen or so efforts in states this year to raise minimum wages above the federal \$5.15 an hour, where it has stood since 1997. Unions and social activists have failed to convince the Republican-controlled Legislature to increase the minimum wage.

Business groups, especially restaurant owners, say that with a higher minimum wage, some businesses will cut jobs and some might close. It also may convince some entrepreneurs not to start a business, they say.

Most workers already make more than the current and proposed higher minimum, they say.

A poll in December by EPIC/MRA of Lansing showed more than 80% of Michigan voters support a higher minimum wage.

In 2004, Florida and Nevada residents voted by about 2-1 to increase their state minimum wage to \$6.15.

Ed Sarpolus, who conducted the Michigan poll, said Friday the issue especially stirs passions among Democratic voters, enough to possibly increase their turnout on Election Day by 4 to 5 percentage points, particularly in cities like Detroit.

"The ballot issue is more about increasing election turnout than it is about the issue of wages," Sarpolus said.

John Freeman, director of the minimum wage campaign, called Michigan Needs a Raise, said Friday raising the minimum wage is morally right. He said it would help more people get off welfare and support themselves.

"What we're attempting to do is put more money in the hands of low-income workers, so they can support themselves and their families," Freeman said. "The other benefit is that these workers don't save much money, they turn right around and spend what they make."

"Local businesses will benefit."

A higher minimum wage would have the most effect on the restaurant and hotel and motel industries. In 2004, 366,370 Michigan workers were employed by the food-service industry. Of those, 74,000 earned the \$5.15 minimum wage; the rest averaged \$7.57 an hour.

The minimum wage for tip employees -- mostly waiters -- would increase from the current \$2.65 an hour to \$4.35 an hour, under the proposed constitutional amendment.

"It's stupid; it's going to hurt the restaurant business," restaurateur Matt Prentice said Friday of the minimum wage campaign. Prentice owns 12 metro Detroit restaurants and 13 other food-related businesses. He employs about 800 people.

Most are in Oakland County, but there's also his posh Coach Insignia atop Detroit's Renaissance Center.

Prentice said he knows of no restaurant employees in metro Detroit who don't earn -- with tips -- more than the minimum wage, but he said raising the minimum would cost employers. Even waiters in high-end restaurants who earn significant tips would have their base pay increased \$1.70 an hour.

"Prices will go up," he said. "The government is always better off if they let economic reality take its due course."

Matt Groen of the Michigan Restaurant Association said Friday what's especially onerous about the proposed law is that it would increase the minimum wage annually, according to inflation.

Jean Boudrie, 71, of Monroe, is working on the minimum wage campaign. She said Friday she earns \$5.15 an hour as a part-time receptionist at a nonprofit agency. Even with her Social Security check, she said, it's hard to make ends meet.

"If you raise it to \$6.85 an hour, you're only talking about a couple more pounds of hamburger or an extra gallon of milk," she said.

But Rich Studley, spokesman for the Michigan Chamber of Commerce, said Friday raising the minimum at a time when Michigan already trails the U.S. economy would worsen the state's job climate.

"The reaction from many business people is: Why would we risk making a bad situation worse?" he said.

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#### Minimum wage facts

- **Federal:** \$5.15 an hour  
**Michigan:** \$5.15  
**Michigan proposed:** \$6.85  
**Current tip employees:** \$2.65  
**Tip employees, proposed:** \$4.35  
In nearby states  
**Ohio \$4.25** (some small companies); Pennsylvania \$5.15; Illinois \$6.50; Indiana \$5.15; Wisconsin \$5.70; Minnesota \$6.15.
  - **States with highest minimum:** Washington \$7.63; Oregon \$7.50; Connecticut \$7.40; Vermont \$7.25
- WHO IT IMPACTS MOST  
**Employees** and employers of restaurants, motels, hotels.

WHO'S FOR RAISING IT

Some community groups, unions and Democrats.

WHO'S AGAINST

Businesses. Republicans.

*Free Press staff*

# boost minimum wage

Friday, February 13, 2006

jparikh@kalamazoogazette.com 388-8558

Kalamazoo was among 20 Michigan cities in which press conferences were scheduled today to drum up support to put a proposal on the November ballot to increase the state's minimum wage from \$5.15 to \$6.85 an hour.

John Freeman, director of the Michigan Needs a Raise campaign, said this morning that the ballot proposal is intended to help people get off state aid and become self-sufficient. The Needs a Raise campaign is being conducted by a coalition that includes state and local unions and the Michigan Democratic Party.

Freeman said Michigan has not had an increase in its minimum wage since 1996.

``This puts more money into the hands of workers so they can support themselves and their families," Freeman said. ``It also will be putting more money back into the local economy because these workers will spend their money where they live."

The press conference in Kalamazoo was to be held at the hall of Carpenter's Union Local 525 at 3617 Gembrit Circle. State Sen. Mark Schauer, D-Battle Creek, and State Rep. Alexander Lipsey, D-Kalamazoo, were among those expected to attend.

# This Week in Washington

For the week ending 2/9/2006, Vol. XXVII, No. 3

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- [President Releases FY 2007 Budget](#)
  - [President Signs Budget Reconciliation Measure Into Law](#)
  - [Panels Hear Testimony on FY 2007 Budget Proposal, Part D Implementation](#)
  - [Emergency SSBG Funds Released to States](#)
  - [CMS Announces Reduced State Clawback Payments](#)
  - [ACF Announces Study on Duration of Child Care Subsidy Use](#)
  - [Early Childhood Educator Professional Development Grants Available](#)
  - [Study Reviews Food Stamp Program Costs and Error Rates](#)
  - [SSA Testifies on Part D Implementation](#)
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## President Releases FY 2007 Budget

On February 6, President Bush released the administration's fiscal year 2007 budget proposal. The budget totals \$2.77 trillion and proposes significant reductions to federal entitlements such as Medicare, and would achieve \$14.5 billion in savings by eliminating 141 federal programs. In addition to the Medicare program reductions, which total more than \$35.9 billion, the FY 2007 proposal would also reduce federal funding for Medicaid through a number of statutory and regulatory actions. The budget sets forth a number of proposals advanced in previous budgets.

The budget's Medicaid proposals would achieve five-year, \$12.7 billion savings by limiting provider taxes; reducing Medicaid administrative costs by recapturing amounts the administration says were improperly included in state Temporary Assistance for Needy Families (TANF) block grants; cutting the match rate for targeted case management services to 50 percent; restricting payments to government providers; regulating Disproportion Share Hospital and rehabilitation services; and prohibiting Medicaid payment for school-based health administration and transportation. The budget would also extend Transitional Medical Assistance through FY 2007; allow those eligible for the State Children's Health Insurance Program (SCHIP) to auto-enroll in employee plans; and redistribute SCHIP funds to states the budget identifies as "most in need."

The FY 2007 budget proposal would also fully fund the TANF program and extend TANF supplemental grants through FY 2010. It would adjust the contingency fund and maintenance-of-effort trigger but did not provide specific details. The budget would also provide new marriage and family formation grants for states. The administration's plan also cuts funding for the Social Services Block Grant (SSBG) by \$500 million, eliminates the Community Services Block Grant, and eliminates the Preventive Health Block Grants. As in previous years, the budget proposes an option for states to receive capped foster care funding under a flexible funding proposal; restricts categorical eligibility for food stamps; and consolidates federal job training programs under the Workforce Investment Act program structure.

## President Signs Budget Reconciliation Measure Into Law

On February 8, President Bush signed into law the Deficit Reduction Act of 2005 (S. 1932). The measure passed the House by a two-vote margin on February 1 and the Senate by one vote on

December 21, 2005. The legislation saves \$39 billion over five years and makes major changes in a number of public human service programs, including Medicaid, TANF, child support, and child welfare. The bill reauthorizes TANF and modifies the program in a number of respects (see *This Week*, February 3). A statement by Health and Human Services (HHS) Secretary Michael Leavitt on the bill's impact on TANF is available at <http://www.os.dhhs.gov/news/press/2006pres/20060208.html>.

### **Panels Hear Testimony on FY 2007 Budget Proposal, Part D Implementation**

On February 8 and 9, HHS Secretary Leavitt testified before the House Ways and Means Committee and the Senate Finance Committee on the administration's FY 2007 budget proposal. A majority of the time at both hearings was spent on the Medicare Part D prescription drug program, with committee chairs praising the success of the recent implementation. However, others on the committees from both sides of the aisle raised concerns over confusion in choosing a plan as well as the medications available on different plans. During the Ways and Means hearing, concerns were raised over the \$500 million cut to SSBG to Urban Indian Health Centers. At the February 8 Finance Committee hearing, Mark McClellan, administrator of the Centers for Medicare and Medicaid Services (CMS), informed the committee that CMS will work to fix the problems that have arisen with the start of the program by mid-April. Committee members presented a number of ideas for legislative changes in the program, including steps to standardize drug plans in order to simplify the comparison process; a provision to bar insurance plans from dropping a drug from their formulary during the year a beneficiary enrolls; and a delay in the deadlines for seniors to sign up for the benefit. McClellan would not commit to endorsing any of these changes. He also said that CMS will work to make plan comparisons easier for beneficiaries, although he did not say how they will do so. Representatives of drug plans, pharmacies, and health care providers also testified. The testimony of all witnesses is available at <http://finance.senate.gov/sitepages/hearing020806.htm>.

### **Emergency SSBG Funds Released to States**

During his February 8 testimony before the House Ways and Means Committee, HHS Secretary Leavitt announced that emergency SSBG funds included in the FY 2006 Defense Appropriations Act have been released to states. The one-year, \$550 million allotment will be distributed to states affected by Hurricanes Katrina, Wilma, and Rita. The funding formula will be based on the number of FEMA enrollees from each of the storms in a state multiplied by the percentage of individuals in poverty in the state. Enrollees from Hurricane Katrina will be double-weighted. The funds can be used by states to meet any of the goals of the SSBG as well as for construction and health services. The states receiving the largest allocations are Louisiana (\$220,901,534), Mississippi (\$128,398,427), Texas (\$87,951,690), Florida (\$53,808,916), and Alabama (\$27,852,254). A list of all the grants is available at [http://www.acf.hhs.gov/news/press/2006/SSBG\\_funds.htm](http://www.acf.hhs.gov/news/press/2006/SSBG_funds.htm).

### **CMS Announces Reduced State Clawback Payments**

CMS has announced a policy decision to reduce by 9.6 percent the 2006 phased-down state contribution, or "clawback," calculations that were completed in October. The reductions were calculated using the updated national healthcare expenditures growth rates. This calculation includes the use of the updated enrollment data, which is currently the December actuals. CMS has indicated that a reduction in drug costs actually reduced both the federal government's first-year costs for the Medicare Part D prescription drug benefit as well as beneficiaries' premiums.

### **ACF Announces Study on Duration of Child Care Subsidy Use**

On February 3, the Administration for Children and Families issued a request for comments on a study of the duration and use of child care subsidies. The study will focus on factors that may contribute to



short or unstable subsidy use. The research project will involve a survey of a random sample of families that have received child care subsidies in Illinois and Oregon. The families will be contacted nine months after the initiation of subsidy use and be asked to complete a telephone interview. Administrative data on the families' subsidy use will also be examined. Comments should be submitted within 60 days. The notice was published in the February 3 *Federal Register* (71 FR 5853-5854) and is available at <http://www.gpoaccess.gov/fr/index.html>.

### **Early Childhood Educator Professional Development Grants Available**

On February 6, the Department of Education released applications for Early Childhood Educator Professional Development (ECEPD) grants. The purpose of the ECEPD grants is to improve the knowledge and skills of child care providers working in communities with high concentrations of children living in poverty. Eligible applicants are partnerships that consist of an institution of higher learning and one or more public agencies (including state human service agencies), Head Start agencies, or private organizations. One of the partners must currently provide professional development to early childhood educators working with low-income children. The department estimates that three to six awards ranging from \$2.4 million to \$4.8 million will be awarded. Applications are due April 7, 2006. Additional information and copies of the applications are available at <http://www.ed.gov/programs/eceducator/index.html>.

### **Study Reviews Food Stamp Program Costs and Error Rates**

The U.S. Department of Agriculture Economic Research Service has released a report, Food Stamp Program Costs and Error Rates, 1989-2001. According to the report, evidence is strong that, beginning in 1995, an increase in reported certification-related costs per Food Stamp Program (FSP) household contributed to reduced error rates. The study looked at trends in FSP administrative costs and errors from 1989 to 2001 and examines the relationship of reported certification costs to FSP error rates (including overpayments, underpayments, and incorrect eligibility decisions). The results imply that, in the period after the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, states on average had to spend more effort on certification-related activities than in previous years to achieve a given level of accuracy. The models predict that, if a state's FSP certification budget is fixed and the number of FSP households increases, the effort per FSP household will fall and error rates will rise, all other things equal. The report is available at <http://www.ers.usda.gov/Publications/CCR15/>.

### **SSA Testifies on Part D Implementation**

On February 2, 2006, Linda McMahon, the Social Security Administration's (SSA) deputy commissioner of Social Security, testified before the Senate Special Committee on Aging on Medicare's Part D drug benefit, providing background on SSA's role and responsibilities in Part D implementation. Congress directed SSA to take limited-income subsidy applications and to make eligibility determinations for persons who were not automatically eligible for the benefit. Congress also asked SSA to collect premiums for the prescription drug program for individuals who requested them withheld from their monthly SSA benefits. McMahon also testified about SSA's outreach efforts for Part D, including: mailing subsidy applications, outreach events in regional SSA offices, and working with state programs and agencies to identify low-income individuals who would qualify for additional assistance. She noted SSA's successful determinations of eligibility for extra help for almost 1.4 million people. She said SSA is contacting eligible beneficiaries who failed to return subsidy applications to learn whether the agency can help them apply for the additional assistance, as well as collaborating with tax preparers to screen clients who might need the low-income subsidy. Full testimony from the hearing is available at [http://www.ssa.gov/legislation/testimony\\_020306.html](http://www.ssa.gov/legislation/testimony_020306.html).